

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL, 8027 AFT-NEW HAMPSHIRE,)
AFL-CIO, et al.,)
Plaintiffs,)
v.) Case No. 1:21-cv-1077-PB
FRANK EDELBLUT, in his official)
capacity only as the Commissioner)
of the New Hampshire Department)
of Education, et al.,)
Defendants.)

NOTICE OF APPEAL

Notice is hereby given that defendants Frank Edelblut, in his official capacity as Commissioner of the Department of Education; John M. Formella, in his official capacity as Attorney General of the State of New Hampshire; Ahni Malachi, in her official capacity as Executive Director of the New Hampshire Commission for Human Rights; Christian Kim, in his official capacity as Chair of the Commission for Human Rights; and Kenneth Merrifield, in his Official Capacity as Commissioner of the Department of Labor, hereby appeal to the United States Court of Appeals for the First Circuit from this Court’s June 24, 2024 Judgment awarding the plaintiffs “declaratory relief that N.H. Rev. Stat. Ann. §§ 354-A:31, 354-A:32, and 193:40 are unconstitutionally vague in violation of the Due Process Clause of the Fourteenth Amendment.”

[Signature Page to Follow]

Respectfully submitted,

FRANK EDELBLUT, in his official capacity as Commissioner of the Department of Education,

JOHN M. FORMELLA, in his official capacity only as Attorney General of the State of New Hampshire,

AHNI MALACHI, in her official capacity as Executive Director of the Commission for Human Rights,

CHRISTIAN KIM, in his official capacity as Chair of the Commission for Human Rights,

and

KENNETH MERRIFIELD, in his official capacity as Commissioner of the Department of Labor

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: July 24, 2024

/s/ Samuel Garland
Samuel R. V. Garland, Bar #266273
Senior Assistant Attorney General
Nathan Kenison-Marvin, Bar # 270162
Assistant Attorney General
Civil Bureau
New Hampshire Dept. of Justice
33 Capitol Street
Concord, NH 03301
(603) 271-3650
Samuel.RV.Garland@doj.nh.gov
Nathan.w.kenison-marvin@doj.nh.gov

Certificate of Service

I hereby certify that a copy of the foregoing was served on all counsel of recording using the Court's electronic-filing service.

/s/ Samuel Garland _____
Samuel R.V. Garland